

Remarks

The Office Action mailed June 5, 2002 has been carefully reviewed and the foregoing amendment has been made in consequence thereof.

Claims 1-21 are now pending in this application. Claims 1-19 stand rejected. Claims 20-21 are newly added.

A fee calculation sheet for the newly added claims along with authorization to charge a deposit account in the amount of the calculated fee are submitted herewith.

The objection to the specification is respectfully traversed.

The specification has been amended in paragraph 14 as suggested in the Office Action.

For the reasons set forth above, Applicants request that the objection to the specification be withdrawn.

The objection to Claims 5, 8 and 9 due to an informality is respectfully traversed.

Claims 5, 8, and 9 have been amended as suggested in the Office Action.

For the reasons set forth above, Applicants request that the objection to Claims 5, 8 and 9 be withdrawn.

The rejection of Claims 1-10 under 35 U.S.C. § 112 is respectfully traversed.

Claim 1 has been amended to overcome the noted antecedent basis issue in the Office Action.

Claims 2-10 are believed to satisfy Section 112 by virtue of the amendment to Claim 1.

For the reasons set forth above, Applicants respectfully request that the Section 112 rejections of Claims 1-10 be withdrawn.

The rejection of Claims 1-5 and 8-11 under 35 U.S.C. § 102(b) as being anticipated by Prada (U.S. Patent No. 5,810,403) is respectfully traversed.

Prada describes a latch assembly (22) for a dishwasher (10). The latch assembly (22) includes a keeper (26) mounted stationary to a dishwasher tub with threaded bolts inserted through keeper openings (30) and (32). Prada col. 3, lines 8-12. Keeper (26) includes a catch (34) and a lock release projection (36). The latch assembly (22) further includes a handle (24) including a latch plate (42), a handle lever (50), and a latch (48). Prada col. 3, lines 19-23. Handle (24) is mounted to a bracket (86) which is securely coupled to a dishwasher door (14). Prada col. 3, lines 31-58. Notably, Prada nowhere describes that keeper (26) includes a bias portion.

It is apparent from Figures 3-6 of Prada that handle (24) is spring loaded into a closed position wherein handle latch (48) is engaged to keeper catch (34), and manipulation of handle (24) displaces latch (48) against the spring bias in a downward direction until latch (48) clears keeper catch (34). When handle latch clears keeper catch (34), handle latch (48) may be moved past keeper release projection (36) to open door (14). In Figures 3-6, keeper (26) is illustrated stationary, and presumably any resiliency of keeper (26) would frustrate opening of door (14) by preventing latch (48) from disengaging keeper catch (34) as handle (24) is manipulated. Consequently, it is respectfully submitted that Prada neither describes nor suggests a keeper including a bias member extending therefrom as described and claimed in the present application.

Claim 1 recites a latch assembly for coupling a door to an apparatus, the latch assembly including “a keeper comprising a biasing member and a head portion extending from said biasing member, said head portion comprising a catch and a lock release projection, said biasing member configured to bias said catch for engagement with the door;” “a handle comprising a contact surface in slidable contact with said lock release projection, said handle selectively operable to uncouple the door from the apparatus; “ and “a handle retainer coupling said handle to the door.”

Prada neither describes or suggests a latch assembly for coupling a door to an apparatus, the latch assembly including a keeper comprising a biasing member and a head portion extending from the bias member, the head portion comprising a catch and a lock release projection, said biasing member configured to bias said catch for engagement with the door. Rather, as noted above, Prada describes a keeper mounted stationary to a dishwasher tub assembly with bolts, and nowhere describes any resiliency or biasing capability of the keeper. As also noted above, Resiliency of the keeper described by Prada et al. would apparently interfere with proper operation of the door.

For at least the the reasons set forth above, Claim 1 is submitted to be patentable over Prada.

Claims 2-5 and 8-10 depend, directly or indirectly, from independent Claim 1. When the recitations of Claims 2-5 and 8-10 are considered in combination with the recitations of Claim 1, Applicants submit that dependent Claims 2-5 and 8-10 likewise are patentable over Prada.

Claim 11 recites a method for assembling a door latch assembly for a dishwasher, the latch assembly for securing a dishwasher door to a dishwasher tub assembly, the tub assembly including a keeper including a head and a bias member extending therefrom. The method includes “providing a handle,” “providing a handle retainer,” “connecting the handle to the handle retainer,” and “slidably coupling the keeper to the handle against a bias of the keeper.”

As noted above, Prada neither describes nor suggests a latch assembly including a keeper having a bias member extending therefrom, and consequently Prada neither describes nor suggests the method recited in Claim 11.

For the reasons set forth above, Claim 11 is submitted to be patentable over Prada.

The objection to Claims 6 and 7 and Claims 12-15 as dependant upon rejected base claims is respectfully traversed. For the reasons set forth above, it is submitted that the respective base claims (Claims 1 and 11, respectively) of Claims 6 and 7 and 12-15 are

patentable over the cited art. Accordingly, Applicants request that the objection to Claims 6, 7 and 12-15 be withdrawn.

With respect to newly added Claims 20 and 21, Applicants respectfully submit that none of the cited art describes the apparatus and methods recited in these claims.

Claim 20 may be recognized as Claim 6, which was indicated in the Office Action as allowable, rewritten into independent form.

Claim 21 may be recognized as Claim 12, which was indicated in the Office Action as allowable, rewritten into independent form.

Therefore, Applicants submit that Claims 20 and 21 are patentable over the cited art.

In view of the foregoing amendments and remarks, all the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited.

Respectfully Submitted,



Bruce T. Atkins
Registration No. 43,476
ARMSTRONG TEASDALE LLP
One Metropolitan Square, Suite 2600
St. Louis, Missouri 63102-2740
(314) 621-5070



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PATENT

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Prada et al.

Serial No.: 09/682,225

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For: METHODS AND APPARATUS
FOR SECURING A
DISHWASHER DOOR

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: Art Unit: 3677
:
: Examiner: Lugo, Carlos
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:

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SUBMISSION OF MARKED UP CLAIMS AND PARAGRAPHS

Hon. Assistant Commissioner for Patents
Washington, D.C. 20231

In furtherance of the response to the Office Action dated June 5, 2002 submitted herewith,
Applicants hereby submit marked up versions of the amendments therein.

IN THE SPECIFICATION

Please replace paragraph 14 with the following paragraph:

[0014] In an exemplary embodiment, latch assembly 26 includes a keeper 38 attached to tub assembly 34. In one embodiment, keeper 38 is formed integrally with tub assembly 34. Keeper 38 includes a biasing member 40 and a head 42. In one embodiment, biasing member 40 is formed unitarily with head 42. Alternatively, biasing member 40 and head 42 are separate components. In an exemplary embodiment, biasing member 40 and head 42 are formed integrally. Head 42 includes a catch 44, a switch actuator 46, and a lock release projection 48. In one embodiment, biasing member 40 and head 42 are formed from a metallic material. In another embodiment, biasing member 40 and head 42 are formed from a non-metallic material. Biasing member 40 has a thickness 50 that is measured between a top surface 52 and a bottom

surface 54 of biasing member 40. Thickness 50 is variably selected such that keeper 38 has a pre-determined flexibility to facilitate opening and closing of the door 14.

IN THE CLAIMS

1. (once amended) A latch assembly for coupling a door to an apparatus, said latch assembly comprising:

a keeper comprising a biasing member and a head portion extending from said biasing member, said head portion comprising a catch and a lock release projection, said biasing member configured to bias said catch for engagement with the door;

a handle comprising a contact surface in slidable contact with said lock release projection, said handle selectively operable to uncouple the door from the [tub assembly] apparatus; and

a handle retainer coupling said handle to the door.

5. (once amended) A latch assembly in accordance with Claim 1 wherein said keeper head portion is formed integrally with said keeper biasing member.

8. (once amended) A latch assembly in accordance with Claim 1 wherein said handle retainer is fixedly attached to the door.

9. (once amended) A latch assembly in accordance with Claim 2 wherein said handle is rotatably coupled to the door with said hinge pin.

11. (once amended) A method for assembling a door latch assembly for a dishwasher, the latch assembly for securing a dishwasher door to a dishwasher tub assembly, the tub assembly including a keeper including a head and a bias member extending therefrom, said method comprising:

providing a handle;

providing a handle retainer;

connecting the handle to the handle retainer; and

slidably coupling [a] the keeper to the handle against a bias of the keeper.

Respectfully Submitted,



Bruce T. Atkins
Registration No. 43,476
ARMSTRONG TEASDALE LLP
One Metropolitan Square, Suite 2600
St. Louis, Missouri 63102-2740
(314) 621-5070